

Bruce L. Simon (SBN 96241)
Esther L. Klisura (SBN 221171)
PEARSON, SIMON, SOTER, WARSHAW & PENNY LLP
44 Montgomery Street, Suite 1430
San Francisco, CA 94104
Telephone: (415) 433-9000
Facsimile: (415) 433-9008
Email: bsimon@psswplaw.com

*Counsel for Plaintiff 50th State Distributors, Inc.
and the Proposed Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

50TH STATE DISTRIBUTORS, INC., on
behalf of itself and all others similarly
situated,

Plaintiff,

vs.

MATSON NAVIGATION COMPANY,
INC.; ALEXANDER & BALDWIN, INC.;
HORIZON LINES, LLC; and HORIZON
LINES, INC.,

Defendants.

Case No. 08-2603-VRW

PROOF OF SERVICE

PEARSON, SIMON, SOTER, WARSHAW & PENNY, LLP
44 MONTGOMERY STREET, SUITE 1430
SAN FRANCISCO, CALIFORNIA 94104

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and Complaint was made by me¹ May 29, 2008 10:25 am DATE

Name of SERVER Ruth Reynolds TITLE Investigator/ Process Server

Check one box below to indicate appropriate method of service

- ☒ Served Personally upon the Defendant. Place where served: 4064 Colony Rd. Suite 200
Charlotte, NC 28211
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
 Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☒ Other (specify): Robert S. Zuckerman / VP, General Counsel & Secretary

STATEMENT OF SERVICE FEES

TRAVEL SERVICES TOTAL \$110.63

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on May 29, 2008
 Date

Ruth Reynolds
 Signature of Server

Charlotte, North Carolina
 Address of Server

C/O WESTERN ATTORNEY SERVICES
75 Columbia Square
SAN FRANCISCO, CA 94103

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.